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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

BRUCE GILLEY,

Plaintiff,

v.

COMMUNICATIONS MANAGER,
University of Oregon Division of Equity and
Inclusion,

Defendant.

Case No.: 6:22-cv-01181-HZ

**REPORT REGARDING
IMPLEMENTATION OF
SETTLEMENT AGREEMENT**

I. MEMORANDUM

In March of this year, plaintiff Bruce Gilley (“Plaintiff”) and defendant Communications Manager for the University of Oregon (“University”) reached an agreement to settle the above captioned matter (“Settlement”).¹ As part of the Settlement, the parties executed and filed a joint request to hold the case in abeyance for 180 days while the parties implement the terms of the Settlement. *See generally* Dkt. 96. Relevant here, the terms that require implementation during this 180-day period (“Prospective Terms”) are as follows:

- The University will clarify and update its social media and blocking guidelines
- The University will post on its publicly accessible website both the updated blocking guidelines and a procedure for challenging and seeking review of blocking decisions
- The University’s Office of the General Counsel will hold annual trainings for managers of the University’s social media channels to educate on the requirements of social media guidelines and the First Amendment
- On or before the 150th day of the period, the University is required to file a report with the Court noting the steps it has taken to implement the Prospective Terms

As explained in greater detail below, and with this report, the University has completed all Prospective Terms. This case is set for dismissal once the 180-day period has run on September 22, 2025.

A. The University has clarified and updated its social media guidelines and posted those guidelines on its publicly available website.

The University has amended its social media guidelines and posted those guidelines online under the heading, “Social Media Engagement and Community Management.” A copy of these guidelines is attached to this memorandum as Exhibit A.²

¹ Pursuant to the settlement agreement, Plaintiff dismissed his claims against defendant *tova stabin* with prejudice. Dkt. 95.

² The guidelines can otherwise be found at <https://communications.uoregon.edu/uo-brand/applying-the-brand/social-media/community-management>.

Among the changes the University made, the guidelines have been clarified to state that third parties and the content they post cannot be blocked or deleted based on viewpoint. Ex. A at 1. This is the rule even if the viewpoint expressed by a third party is viewed by some as offensive, racist, or hateful. *Id.*

The guidelines also included amended guidance for University officials who manage University-run social media platforms. This guidance clarifies how a manager is to address decisions regarding deleting, muting, or blocking posts of third parties that the manager views as off-topic from the original University post. *Id.* at 2. The guidance provides that a post is not off-topic simply because it promotes a view that is different than the view of the author of the post or others who post on the account. *Id.* The guidance further provides that, where a user has been blocked from a University-managed social media account, the University will not ban the user indefinitely but instead will only impose a ban for a reasonable length of time. *Id.* at 3.

B. The University has created a procedure for challenging and seeking review of blocking, muting, or deleting of social media content.

In addition to amending its social media guidelines to provide greater clarity on when a user may be blocked, the University has also created a procedure for challenging social media blocking, muting, and deleting decisions. *See id.* at 4. The University created an appeal form that is available on the University's website and attached to this report as Exhibit B. The University appeal form contains an email address to which individuals can send requests for appeal. *Id.* at 1.

C. The University's Office of General Counsel will conduct trainings regarding the University's social media guidelines this fall.

The University's Office of the General Counsel has begun work on a curriculum for its annual trainings on the University's social media policy and the First Amendment. The General Counsel's office will complete the first annual training this Fall Semester after schools starts and will continue to hold such trainings each year.

II. CONCLUSION

In sum, the University has implemented the Settlement's Prospective Terms. This case should, accordingly, be dismissed on September 22, 2025, as agreed to by the parties and reflected in the Settlement.

DATED: August 22, 2025

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